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4  
5 Attorneys for  
Teichert Pipelines, Inc. and A. Teichert & Sons, Inc.  
d/b/a Teichert Aggregates

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7  
8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

11  
12 In re:  
13 PG&E CORPORATION  
14 and  
15 PACIFIC GAS AND ELECTRIC COMPANY,  
16 Debtors.

Case Nos.:  
19-30088 (DM) – Lead Case  
19-30089 (DM)  
Chapter 11 Case

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**NOTICE OF CONTINUED  
PERFECTION OF MECHANICS  
LIEN PURSUANT TO 11 U.S.C. §  
546(b)(2)**

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- 17  
18  Affects PG&E Corporation  
19  Affects Pacific Gas and Electric Company  
20  Affect both Debtors
- 

21  
22 TEICHERT PIPELINES, Inc. ("TEICHERT"), by and through its undersigned  
23 counsel, hereby gives notice of continued perfection of its mechanics lien under 11 U.S.C.  
24 § 546(b)(2), as follows:

25 1. TEICHERT is a corporation that has provided and delivered labor, services,  
26 equipment, and/or materials for a work of improvement located in the County of Yolo, State  
27 of California (the "Property") and owned by PG&E Corporation and/or Pacific Gas and

1      Electric Company (collectively, the "Debtors").

2            2.        Through May 9, 2019, the amount owing to TEICHERT is at least  
3        \$586,960.70, exclusive of accruing interest and other charges, with additional amounts owed  
4        and accrued after May 9, 2019.

5            3.        Teichert properly perfected its mechanics lien under California Civil Code §§  
6        8400, *et seq.* by timely recording its Mechanics Lien (Claim of Lien) in the Official Records  
7        of Yolo County, State of California, as more fully described in its Mechanics Lien, a true  
8        copy of which is attached hereto as Exhibit A, on or about May 14, 2019.

9            4.        Pursuant to California Civil Code § 8460, an action to enforce a lien must be  
10        commenced within 90 days after recordation of the claim of lien. However, due to the  
11        automatic stay set forth in 11 U.S.C. § 362, TEICHERT is precluded from filing a state court  
12        action to enforce its mechanics lien. 11 U.S.C. § 546(b)(2) provides that when applicable law  
13        requires seizure of property or commencement of an action to perfect, maintain, or continue  
14        the perfection of an interest in property, and the property has not been seized or an action has  
15        not been commenced before the bankruptcy petition date, then the claimant shall instead give  
16        notice within the time fixed by law for seizing the property or commencing an action. (See  
17        11 U.S.C. § 546(b)(2); see also In re Baldwin Builders (Village Nurseries v. Gould), 232 B.R.  
18        406, 410-411 (9<sup>th</sup> Cir. 1999); Village Nurseries v. Greenbaum, 101 Cal.App.4<sup>th</sup> 26, 41 (Cal.  
19        Ct. App. 2002).)

20            5.        Accordingly, TEICHERT hereby provides notice of its rights as a perfected  
21        lienholder in the Property pursuant to California's mechanics lien law. TEICHERT is filing  
22        and serving this notice to preserve, perfect, maintain, and continue the perfection of its lien  
23        and its rights in the Property to comply with the requirements of California state law, 11  
24        U.S.C. §§ 362(a), 362(b)(3), and 546(b)(2), and any other applicable law. This notice  
25        constitutes the legal equivalent of having commenced an action to foreclose the lien in the  
26        proper court. By this notice, the Debtors and other parties in interest are estopped from  
27        claiming that the lawsuit to enforce TEICHERT's mechanics lien was not timely commenced  
28        pursuant to applicable state law. TEICHERT intends to enforce its lien rights to the fullest

1 extent permitted by applicable law. The interests perfected, maintained, or continued by  
2 11 U.S.C. § 546(b)(2) extend in and to the proceeds, products, offspring, rents, or profits of  
3 the Property.

4       6. The filing of this notice shall not be construed as an admission that such filing  
5 is required under the Bankruptcy Code, the California mechanics lien law, or any other  
6 applicable law. In addition, TEICHERT does not make any admission of fact or law, and  
7 TEICHERT asserts that its lien is senior to and effective against entities that may have  
8 acquired rights or interests in the Property previously.

9       7. The filing of this notice shall not be deemed to be a waiver of TEICHERT's  
10 right to seek relief from the automatic stay to foreclose its mechanics lien and/or a waiver of  
11 any other rights or defenses.

12       8. TEICHERT reserves all rights, including the right to amend or supplement  
13 this notice.

14  
15 DATED: May 31, 2019

DOWNEY BRAND LLP

16  
17 By: \_\_\_\_\_ /s/ Jamie P. Dreher  
18 JAMIE P. DREHER  
19 Attorney for  
20 TEICHERT PIPELINES, INC. AND  
21 A. TEICHERT & SONS, INC. D/B/A TEICHERT  
22 AGGREGATES  
23  
24  
25  
26  
27  
28

# **EXHIBIT A**

CONFORMED COPY  
NOT COMPARED  
WITH ORIGINAL

RECORDING REQUESTED BY  
REQUESTED BY SCOTT MCELHERN  
WHEN RECORDED MAIL TO

NAME DOWNNEY BRAND LLP  
MAILING Scott McElhern  
ADDRESS 621 Capitol Mall, 18th Floor  
Sacramento, CA 95814  
PHONE NUMBER (916) 444-1000



YOLO Recorder's Office  
Jesse Salinas, County Recorder  
**DOC- 2019-0010090-00**

Check Number 26052  
REQD BY DOWNEY BRAND  
Tuesday, MAY 14, 2019 10:27:00  
Ttl Pd \$108.00 Rept # 0001346735  
FRT/X9/1-4

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**CLAIM OF MECHANICS LIEN**  
**(Cal. Civ. Code § 8416)**

1. Teichert Pipelines, Inc. ("Claimant") claims a mechanics lien for the labor, services, equipment and/or materials described in paragraph 2, furnished for a Pacific Gas & Electric Company work of improvement located in the City of West Sacramento, County of Yolo, State of California, and more particularly described as follows:

Gas transmission pipeline L-116 at the following locations:

MP-8.722 and MP-8.7322 at Enterprise Blvd. between APN 067-010-033-000 and APN 067-010-037-000 in West Sacramento, California 95691.

MP 11.699-11.728 at Westacre Road between APN 058-150-002-000 and APN 058-150-006-000 and at Webster Street between APN 058-150-001-000 and APN 058-150-039-000, in West Sacramento, California 95691.

MP 10.610 at Evergreen Avenue, adjacent to APN 067-120-067-000 and APN 067-120-026-000 in West Sacramento, California 95691.

2. After deducting all just credits and offsets, the sum of \$586,960.70 plus interest accrued and accruing thereon at the maximum legal rate, is due Claimant for the following generally described labor, materials, services, and/or equipment: Excavate and expose each end of casing; remove casing; complete pipeline inspection; perform repairs and recoat as needed; install casing vents as necessary; install test facilities at each end; complete remediation and documentation; backfill and compact excavation; install PG&E decals and pipeline marker decals.

3. Claimant furnished the work and materials at the request of and under contract with Pacific Gas & Electric Company, 77 Beale Street, 32nd Floor, San Francisco, CA 94105.

4. The name and address of the owner or reputed owner of the improvements is Pacific Gas & Electric Company, 77 Beale Street, 32nd Floor, San Francisco, CA 94105. Claimant asserts this lien on the distinct and vested property rights of Pacific Gas & Electric Company in the improvements, and not on the property of any public agency owner.

5. Claimant's address is: 3500 American River Drive, Sacramento, CA 95864.

DATED: May 9, 2019

TEICHERT PIPELINES, INC.

By:

Sean Collins, Credit Manager

## **VERIFICATION**

I, Sean Collins, am the Credit Manager of Teichert Pipelines, Inc., and am authorized to make this verification for and on its behalf. I have read the foregoing claim of mechanics lien and know the contents of the claim of mechanics lien to be true of my own knowledge.

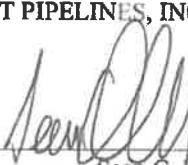
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED:

May 9, 2019

TEICHERT PIPELINES, INC.

By:



Sean Collins, Credit Manager

## **NOTICE OF MECHANICS LIEN CLAIM**

### **ATTENTION!**

**Upon the recording of the enclosed MECHANICS LIEN with the county recorder's office of the county where the property is located, your property is subject to the filing of a legal action seeking a court-ordered foreclosure sale of the real property on which the lien has been recorded. That legal action must be filed with the court no later than 90 days after the date the mechanics lien is recorded.**

**The party identified in the enclosed mechanics lien may have provided labor or materials for improvements to your property and may not have been paid for these items. You are receiving this notice because it is a required step in filing a mechanics lien foreclosure action against your property. The foreclosure action will seek to pay for unpaid labor, materials, or improvements provided to your property. This may affect your ability to borrow against, refinance, or sell the property until the mechanics lien is released.**

**BECAUSE THE LIEN AFFECTS YOUR PROPERTY, YOU MAY WISH TO SPEAK WITH YOUR CONTRACTOR IMMEDIATELY, OR CONTACT AN ATTORNEY, OR FOR MORE INFORMATION ON MECHANICS LIENS GO TO THE CONTRACTORS' STATE LICENSE BOARD WEB SITE AT [www.clb.ca.gov](http://www.clb.ca.gov).**

1557664.1

## PROOF OF SERVICE AFFIDAVIT

I, Mary Dowd declare:

On May 14, 2019, at Sacramento, California, I served the enclosed:

### **CLAIM OF MECHANIC'S LIEN**

by enclosing true and correct copies thereof in sealed envelopes, with postage thereon fully prepaid, using one of the following described mailing methods:

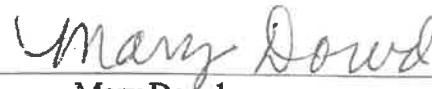
- Registered Mail, Return Receipt Requested;
- Certified Mail, Return Receipt Requested;
- Express Mail; or
- Overnight delivery by an express service carrier.

The envelope was addressed as follows:

Pacific Gas & Electric Company  
77 Beale Street, 32nd Floor  
San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed on May 14, 2019, at Sacramento, California.

  
\_\_\_\_\_  
Mary Dowd